

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chairman Gary L. Perry, on February 4, 2009 at 8:00 A.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Gary L. Perry, Chairman (R)
Sen. Jim Shockley, Vice Chairman (R)
Sen. Aubyn Curtiss (R)
Sen. John Esp (R)
Sen. Greg Hinkle (R)
Sen. Carol C. Juneau (D)
Sen. Cliff Larsen (D)
Sen. Jesse Laslovich (D)
Sen. Dan McGee (R)
Sen. Lynda Moss (D)
Sen. Terry Murphy (R)

Members Excused: Sen. Larry Jent (D)

Members Absent: None

Staff Present: Valencia Lane, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 236, 2/4/2009

Executive Action: None

HEARING ON SB 236

Opening Statement by Sponsor:

00:02:40 Sen. David Wanzenried (D), SD 49, opened the hearing on SB 236, Abolish death penalty.

Proponents' Testimony:

00:11:34 Jacqueline Lenmark, Montana Abolition Coalition

[EXHIBIT\(jus26a01\)](#)

[EXHIBIT\(jus26a02\)](#)

00:15:36 Sen. Roy Brown, SD 25

00:18:50 Carolyn Mad Plume, self; mother of murdered child

[EXHIBIT\(jus26a03\)](#)

00:22:38 Ray Krone, self; former death row inmate, Arizona State Prison

00:28:44 Rev. George Leo Thomas, Bishop, Diocese of Helena, Helena

[EXHIBIT\(jus26a04\)](#)

00:34:13 Jon Salmonson, self; former teacher, Montana State Prison

[EXHIBIT\(jus26a05\)](#)

00:38:31 Tom Biglin, member of board of directors ACLU; former county attorney

00:45:08 Ron Waterman, Attorney

[EXHIBIT\(jus26a06\)](#)

00:56:45 Marietta Jeager-Lane, self; mother of murdered child; Montana Abolition Coalition

01:05:08 Rep. Shannon Augare, HD 16

01:08:47 Ron McAndrew, retired Warden, Florida State Prison

01:15:05 Su DeBree, Pastor, United Methodist Church; mother of murdered child

[EXHIBIT\(jus26a07\)](#)

[EXHIBIT\(jus26a08\)](#)

01:18:57 John Connor, former Chief Special Prosecutor, Assistant Attorney General, State of Montana

[EXHIBIT\(jus26a09\)](#)

[EXHIBIT\(jus26a10\)](#)

01:22:51 John Sheehy, Attorney; retired Montana Supreme Court Justice

[EXHIBIT\(jus26a11\)](#)

01:26:10 Rev. Herbert Pins, Catholic chaplain, Warm Springs State Hospital; former chaplain, Montana State Prison

[EXHIBIT\(jus26a12\)](#)

01:31:51 Richard Meeker, self; retired Chief Probation/Parole Officer Montana Justice System

[EXHIBIT\(jus26a13\)](#)

01:34:35 J. A. "Ziggy" Ziegler, retired Yellowstone County
Commissioner; Chairman, Montana Catholic
Conference; Montanans for Justice; son of murdered
father

EXHIBIT(jus26a14)

01:39:32 Bishop Jessica Crist, Lutherans of Montana

01:40:56 Aart Dolman, self

EXHIBIT(jus26a15)

EXHIBIT(jus26a16)

01:42:09 Dr. Ray Peck, retired psychologist, Montana Association
of Churches

01:42:58 Beth Brennaman, Disability Rights of Montana

01:43:59 Valerie Hellerman, Helena Peace Seekers

01:44:19 Erin Butts, self

01:44:52 Will Boland, self

01:45:12 Ron Mathsen, Montana Association of Churches

01:46:21 Jeff Renz, self; clinical professor of law

EXHIBIT(jus26a17)

EXHIBIT(jus26a18)

01:47:17 break

**Exhibits from Proponents for SB 236 distributed to the Committee
Members during the break:**

EXHIBIT(jus26a19)

EXHIBIT(jus26a20)

EXHIBIT(jus26a21)

EXHIBIT(jus26a22)

Opponents' Testimony:

01:59:57 Jeff Laszloffy, former Montana State Legislator

02:06:20 Rep. Janna Taylor, HD 11

02:13:36 Gilda Clancy, self; former Montana State Legislator;
Montana Eagle Forum

EXHIBIT(jus26a23)

02:17:40 Cyndi Forbes, self

EXHIBIT(jus26a24)

02:21:41 Rep. Tom Berry, HD 45; father of murdered child

02:27:51 Doug Nulle, retired attorney

02:32:52 Harris Himes, Pastor, Big Sky Christian Center,
Hamilton

02:51:20 Mike Kecskes, President, Tree of Life Foundation

02:56:25 Rep. Roy Hollandsworth, HD 28, victim of family assault

02:59:10 Sen. Dan McGee, SD 29

Informational Testimony:

03:11:04 Jesse McQuillan, Executive Director, Montana
Innocents Project

03:16:07 break

Questions from Committee Members and Responses:

03:25:14 Sen. Esp
03:25:59 Mr. Connor
03:29:52 Sen. Juneau
03:30:47 Mr. Connor
03:31:49 Sen. McGee
03:32:13 Sen. Moss
03:33:16 Mr. McAndrew
03:36:21 Sen. Moss
03:37:00 Rev. DeBree
03:39:33 Sen. Perry
03:40:19 Rep. Taylor
03:43:32 Sen. Perry
03:44:36 Mr. Nulle
03:45:51 Sen. Perry
03:46:44 Mr. Himes
03:53:00 Sen. Juneau
03:54:23 Sen. Perry
03:55:39 Sen. Moss
03:56:21 Sen. Perry
03:58:58 Mr. Connor
04:01:42 Sen. Perry
04:02:14 Sen. McGee
04:09:42 Sen. Larsen
04:10:25 Mr. Connor
04:11:07 Sen. Hinkle
04:12:17 Sen. McGee
04:12:35 Sen. Perry
04:13:06 Sen. Wanzenried

Closing by Sponsor:

04:13:28 Sen. Wanzenried

ADJOURNMENT

Adjournment: 12:25 P.M.

Pam Schindler, Secretary

ps

Additional Documents:

EXHIBIT ([jus26aad.pdf](#))